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## Weed wars: California braces to inhale

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OAKLAND, CALIF.—If history ultimately charts this as the collapse of America's war on marijuana, the last great skirmish is playing out as a comedy of broken battle-lines.

Going its own way as only California can, an otherwise grumpy left-coast electorate is clearly tilted toward outright legalization on Nov. 2. But good luck sorting the yeas and nays.

On the Yes side you'll find everyone from doctors to lawyers to Facebook founders to the state's largest public service union. And plenty of retired drug warriors, who no longer see weed as a demon worthy of the fight. Even some Tea Partiers bidding to end prohibition in the spirit of government-shrinking libertarianism. For many, the argument that 'if you can't beat it, tax it' is the glue that binds in a time of extreme budget crisis.

The Nos, meanwhile, are lined up in a mismatch worthy of Monty Python. Here you will find old-school *Reefer Madness* rejectionists shoulder to shoulder with ethically challenged pot farmers and the cops who would jail them — all agitating for the status quo of more war, albeit for starkly different reasons. Soccer moms, polls show, worry the ballot initiative known as Proposition 19 will bring proliferation. Beer breweries worry about market share. Small-time growers and cartels alike worry about the taxman.

Even the Governor is hedging his bets. Arnold Schwarzenegger stood firmly against legalization, sort of. Then last week he signed off on the reduction of marijuana possession to the equivalent of a \$100 parking ticket. That means California will decriminalize starting next Jan. 1, regardless of whether midterm election voters give themselves the right to inhale just for fun.

"The whole thing is rife with comedy on so many levels," says Kevin Hoover, editor and publisher of *Arcata Eye*, a small-town paper in the heart of Humboldt County, where the air is thick with the aroma of a statewide illegal harvest estimated at upwards of \$14 billion.

Hoover gets a kick out of the "situational ethics" of profiteers who a generation ago learned how to "game the law, enabling an industry to build up around the guise of medical marijuana" and now want nothing to change.

"Disputatious" is how Hoover describes the mood in Humboldt, where the defunct redwood timber industry has literally gone to pot. Some garden-variety growers fear a legalized future will wipe them out as Big Tobacco and/or Big Alcohol add Big Weed to their portfolios.

Some of the county's more artisanal growing talent envision the opposite — an era of unicorns and rainbows in which Humboldt will emerge as "the Napa Valley of marijuana," a tourist mecca for the well-heeled bud-and-breakfast set.

As the vote approaches, California is drawing the eyes of the world much as it did in 1996 when it became the first of what are now more than a dozen states to green-light medical marijuana. Most eyes are falling on the cash-strapped, job-starved city of Oakland, where the consensus for Yes beats strongest.

Beset by budget shortfalls that already taken 80 police officers off the street and could force layoffs on 200 more, Oakland has formally demoted marijuana to its lowest priority. Simultaneously city council has worked aggressively with the pro-marijuana lobby, hoping to become the epicentre for regulated, industrialized and handsomely taxed mega grow-ops.

Whatever happens Nov. 2, Oakland will launch four of the world's largest marijuana factories early in 2011, once it whittles down a list of 179 applicants bidding for the indoor-growing permits. (One outfit, the non-profit Gropech, is pitching a 30,000-plant operation with a yield



Big Mike, a staff gardener at the main campus of Oakland's Oakland University, tends to training plants. The facility, founded in 2007 with a motto of "Quality Training for the Cannabis Industry," now offers a broad curriculum including legal and horticultural classes at three locations in California and a fourth in Michigan. Organizers say the curriculum is certain to change if Californian voters move to legalize marijuana on Nov. 2.

Mitch Potter/Toronto Star

worth \$50 million a year.)

Oakland's plans have rattled California's legion of small-scale growers and sparked a side debate on indoor versus outdoor.

"Industrial production indoors is insane, economically and environmentally. You might as well grow corn that way," says Humboldt County activist Charlie Custer. "Nevertheless the oligarchs in Oakland are prevailing, as the city moves to create a new taxable entity."

All that, however, is dependent upon how local governments respond to Prop. 19, which, if passed, would let cities decide for themselves whether and how to regulate and tax the sale of marijuana for recreational use.

As the debate unfolds, many on both sides acknowledge the money argument falls short. A new Cato Institute study this week projected \$1.3 billion benefit to California under legalization — \$960 million in law enforcement savings and \$352 million in additional revenue. That is substantially less than a tenth of the state's current \$19.9 billion deficit.

Others, including the authors of an earlier Rand Corp. study, suggest prices could fall as much as 80 per cent under regulation/taxation, with the possibility of illegal cartels undercutting the legit, store-bought variety.

Many opponents, including the editorial pages of every major California newspaper, take the position of right-idea, wrong-law, arguing that allowing local governments to decide will create regulatory chaos, resulting in a crazy-quilt of different marijuana regimes throughout the state.

But the official sponsors of Prop 19 argue the four-page initiative was drafted carefully and deliberately to mirror the end of alcohol prohibition in the 20th century, which gave rise to a patchwork of wet and dry counties that endures to this day. They are particularly heartened that their campaign momentum coincides with the success of HBO's new *Boardwalk Empire* as a timely reminder of how the ban on booze spawned Al Capone and organized crime.

"When prohibition ended, you didn't see Budweiser and Anheuser-Busch pulling out guns on the street corner. They pulled out advertising. And there are no illegal grape-growing cartels producing wine in our national forests," Dale Sky Jones, chief spokeswoman for the Yes to 19 campaign, told the *Star* in an interview at Oakland's battle-leading Oaksterdam University.

"That's why it feels like there is a sea-change in attitudes now. Not only do the vast majority of polls show Californians in favour, but when you break down the numbers to those who have actually read the initiative, we're at about 70 per cent support."

Jones acknowledges "soccer moms" remain a challenge. But as a woman expecting her first child in December, she is calling on doubters to read the four pages of Prop 19, which spell out strict rules to keep children and pot apart.

"The goal here is to take pot away from the guy in the schoolyard who is already making it more readily available to children than ever before," says Jones.

"The initiative penalizes people for using children in the process of a crime and bars people from smoking in public. It also makes it illegal to even smoke in front of children, which should give some comfort to parents who want to send little Johnny for a sleepover at the neighbours. But what matters most to me as a mother-to-be, this will let the police shift resources to focus on child predators and anyone else involved in crimes against others."

Whatever happens, a substantial legal battle seems like in the event of a Yes vote — one which could involve the Obama administration, which has yet to signal how it will respond to California taking a legalized leap on what remains classified a Schedule 1 controlled substance under federal law.

"I don't see the feds coming in with guns blazing. Even under George W. Bush there was only one single tokenistic raid in Humboldt County," said Hoover, the *Arcata* publisher.

"But the fact right now is we've got these four sets of laws — federal, state, county and city — none of which agree. And if we can change to remove the faux medical mantle over it, great. When you have guys in leather baseball hats running around saying, 'Yo, I'm a medical care provider, dude,' you just shake your head. We can do better."